

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JIMMIE LEE ELLIS,

Plaintiff,

v.

Case No. 22-CV-1315

RODNEY GONZALES, *et al.*,

Defendants.

ORDER

On November 4, 2022, Jimmie Lee Ellis, who is incarcerated and representing himself, filed a civil rights complaint under 42 U.S.C. § 1983 alleging that the defendants violated his constitutional rights. (ECF No. 1.) Ellis did not move to proceed without prepayment of the filing fee. On November 7, 2022, the Clerk of Court's office sent Ellis a letter requesting that he either pay the full filing fee or file a motion to proceed without prepayment of the filing fee, along with a certified copy of his six-month trust account statement, by November 28, 2022. (ECF No. 3.) The letter warned Ellis that failure to comply with this requirement may result in the dismissal of his case.

On November 21, 2022, the Clerk of Court's office sent another letter correcting an error from its November 7 letter wherein the amount of the filing fee was wrong. (ECF No. 5.) The November 21 letter did not include a deadline by which Ellis needed to either pay the filing fee or move to proceed without prepayment of the filing fee.

Due to this confusion, the court will give Ellis another opportunity to either pay the full filing fee, submit his motion to proceed without prepayment of the filing fee, along with a certified copy of his six-month trust account statement, or submit a written statement explaining why he cannot do either. If Ellis fails to do this by the deadline below, the court will dismiss the complaint for failure to comply with the court's order.

IT IS THEREFORE ORDERED that by **January 5, 2023**, Ellis shall either pay the full \$402 filing fee or submit a motion to proceed without prepayment of the filing fee, along with a certified copy of his six-month trust account statement, or submit a written explanation regarding why he cannot do either. Ellis's failure to comply with this order will result in dismissal of his case.

Dated in Milwaukee, Wisconsin this 5th day of December, 2022.

BY THE COURT

A handwritten signature in black ink, reading "William E. Duffin", written over a horizontal line.

WILLIAM E. DUFFIN
United States Magistrate Judge